

FILED 08 NOV 20 14:58 USDC-ORP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MISCELLANEOUS FILING & SUMMARY: MELODY TAYLOR, pro-se

Melody Taylor
115 N.E. 10th Drive
Gresham, Oregon 97030-0047
Appearing PRO-SE
(503) 490 -5583

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON (PORTLAND BRANCH)

PLAINTIFF(S)
MELODY TAYLOR,

v

DEFENDANT(S)

CASE NO.: 08-mc-9260

COMPLAINT FOR ACCOUNTING & DISCLOSURE OF SECURE INFORMATION ACQUISITION

Plaintiff complains and for causes of action alleges as follows:

#24109

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1.

Plaintiff has cellular service with Sprint Inc., and on 03 November 2008, at 8:44 am, plaintiff received a malicious, harassing, and defaming cell-phone-call, which was received in the form of "a voice-message",

2.

The content of the "callers statement", caused the plaintiff to suffer serious anxiety-attack(s), which required significant medication to calm anxious suffering.

3.

The message insinuated that the plaintiff is more likely than not, infected with the Aides Virus.

4.

Subsequently, the plaintiff believed she would suffer "a shortened and painful" life span.

5.

Furthermore, hearing the aforementioned "recorded message" caused the plaintiff to grieve...thinking she had failed her children by the error and consequence of loving her partner, therefore fearing eminent death, and loss of physical contact with grandchildren that she currently enjoys.

6.

The Plaintiff suffers from Post-traumatic-stress due to a previous trauma. That trauma was subsequent to the loss of plaintiff's other child in a drowning accident; such that plaintiff suffered from the herein complaint, her loss of peace, then the physical anxiety creating high blood-pressure required medication to quiet the danger, all of which was pursuant to, "the content of the malicious call".

7.

Furthermore, plaintiff's sweetheart is a third-party victim, due to "the content of the caller's statement", therein maliciously indicating him as a potential health hazard to the plaintiff and/or

1 the public by means of saliva and other potential body fluids, which is absolutely untrue regarding
2 the sweetheart's physical health condition.

3 8.

4 The third party victim; the individual indicated by name in the malicious phone call, is a disabled
5 Veteran, currently working for The Veterans Administration in the state-of-Oregon, where he
6 resides; as a victim he suffers defamation-of-character, anxiety and grief, because the accusations
7 are simply untrue, and he should be compensated for his suffering.

8 9.

9 Again, the third party victim being a disabled Veteran, has cause for complaint for "defamation of
10 character, and has been emotionally harmed and/or traumatized by the recorded message,
11 because it is inferred that he intentionally exposed this plaintiff, by assumably infecting her with
12 the life-threatening medical condition of the AIDS VIRUS, which is simply untrue.

13 10.

14 The Plaintiff suffers to date, and is continually traumatized, from the lack of pertinent information
15 which is being withheld by Sprint; regarding "the caller identification", and the Sprint Companies
16 "extreme policy of making the victim go through federal court procedure", putting the average
17 consumer at risk of violations of "Constitutional Rights" and/or Victims Rights, and again
18 expecting the average citizen to have procedural-knowledge in obtaining federal court subpoena's.

19 20 11.

21 The US District Court should recognize that SPRINT and other communication companies, should
22 be required to "assist customers with reasonable "how-to", for acquiring information regarding
23 "calls with malicious intent", to protect customers from being victimized...due to "the lack of
24 Caller-Identification equipment" being made available for cellular phones that are used nationally.

25 12.

26 Again, SPRINT and other communication companies should not be allowed to shun victims in the
27 communications industry, and especially national calls that cannot be handled by the local police.
28

1
2 **13.**

3 **SPRINT and other communication companies should be required to provide basic information to**
4 **the public regarding procedure and costs necessary to obtain Subpoena's; and to obtain pertinent**
5 **malicious cellular caller information.**
6

7 **14.**

8 **SPRINT and other communication companies should not be allowed to "EXEMPT THEMSELVES",**
9 **by "SMALL PRINT CONTRACTS FOR RELEASE OF LIABILITY", because the Public assumes there**
10 **is protection from harm and unfair business practices by governing authorities: including**
11 **companies doing business across state lines.**
12

13 **15.**

14 **SPRINT and other communication companies should be liable for putting the public at risk, and in**
15 **regard to malicious and threatening phone calls, these companies should be accountable to the**
16 **public.**
17

18 **16.**

19 **COMPLAINT**

20 **The "Complaint against SPRINT" is as follows:**

21 **When the plaintiff herein, applied to the Sprint Co., for information regarding the aforementioned**
22 **call/message left on her cellular phone, she was advised that only by way of a "Subpoena", would**
23 **the company Sprint be "obliged and/or forced", to disclose the following:**

- 24 **a. identity of the owner of the telephone**
25 **b. caller's address**
26 **c. phone number**
27 **d. time**
28 **e. recording of the content of the message**

17.


PRAYER FOR RELIEF/SUBPOENAE FOR INFORMATION

Plaintiff, Melody Taylor herein prays for relief in the form of an Order/Subpoena to extract from the Sprint Cellular Company, or any other sub-company or entity that works in conjunction with the Sprint Co., to store, file, or retrieve factual-information, pertaining to the specific Nextel-cellular-call made to 503-490-5583, on Monday, November 3rd, 2008 at 8:44a.m.. Response to the order should contain and not be limited to:

- 1. the victims Account #893591130, the billing period October 19 - November 18, 2008, the billing date that the information pertains to, an exact copy of "the message", and any other pertinent information related to the incident in which the Sprint(Nextel) customer is complaining about.**

18.

Prayer for relief is respectfully submitted to the court, as a Miscellaneous-Filing; in order to acquisition the aforementioned information and any further relief that the court may find just and equitable in favor of the petitioner, Melody Taylor.

 dated 11/20/08

MELODY TAYLOR (503) 490-5583

115 N.E. 10th Drive

Gresham, Oregon 97030-0047

ORDER.

18. ORDER OF THE U.S. DISTRICT COURT

The SPRINT CORPORATION IS HEREBY ORDERED: to disclose to Melody Taylor, in writing, verbally, and by e-mail, any and all undisclosed information to date, regarding that “blocked identity call”, having taken place, and recorded as follows and in the following manner, (any and all refusal or denial of this COURT ORDER, will cause the Sprint Cellular Co., to suffer punitive damages, as the court may decide.

19. YOU AND EACH OF YOU ARE ORDERED TO PROVIDE ALL DATA AS FOLLOWS:

- a. The call that was made to Melody Taylor,...whose cellular number is 503-490-5583,**
- b. Melody Taylor’s Account # is 893591130,**
- c. Copy of the Billing period statement for calls between Oct 19-----Nov18, 2008**
- d. The “incident” as it occurred on November 03, 2008, along with Sprints written validation and admission of “the incident”**
- e. The recorded time of the incident is 8:44 a.m., to be included in a Sprint validation summary**
- f. The written or recorded physical copy of: the content of the message, as it was spoken and recorded on the victims answering service, which is assumed to be delivered, as follows:**

“Hi”

“You don’t know me,”

“But I know You”,...

“And I think, the guy, you’ve been sleeping with,”

“P.J.”

“that He might...”

“have AIDS!”

1
2
3
4 **g. Any and all recording that the Sprint Corporation or its affiliates, may and are required to**
5 **capture on taped devise, the content of the message in conjunction and relative to this**
6 **complaint, and to irrevocably contribute to the benefit this case complaint.**
7

8 **NOW THEREFORE, You, and each of you are hereby ordered to comply with the aforementioned**
9 **described and written demand, by Subpoena of the U.S. District Court (for the state of Oregon).**
10

11 **THIS DEMAND AND ORDER...means immediately and without further delay, to be TRANSMITTED:**

- 12 **1. verbally reported to the victim by cellular communication; Melody Taylor at 503-490-5583,**
13 **2. to be e-mailed to the victim at Seattlegirlingresham@hotmail.com,**
14 **3. to be mailed by U.S. regular postal mail to: 115 N.E. 10th Drive at Gresham, Oregon 97030-0977**
15 **4. to be mailed to P.O. Box 249, Gresham, Oregon 97030-0977, ...by all of these communications**
16 **without further delay.**
17

18 **NOTICE:**
19

20 **Refusal to cooperate with this Court Order and its demands, will bring about disciplines and**
21 **fines to the maximum extent, and will not be limited to this courts judicial authority.**
22
23

24 **Name of judge** _____
25

26 **Signature of authority** _____
27

28 **Dated** _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

US DISTRICT COURT (3rd floor Clerks office),

1000 S.W. 3rd Avenue, Portland Oregon_____